



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region III  
841 Chestnut Building  
Philadelphia, Pennsylvania 19107

112057

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

In Reply Refer To: 3HW11

Mr. Richard Bales  
Gus Bales, Inc.  
RD #1, Box 465  
Alburtis, PA 18011

Re: Crossley Farm, Hereford Township, PA

Dear Mr. Bales:

The U.S. Environmental Protection Agency (EPA) is continuing its investigation into the release, or the threat of release, of hazardous substances, pollutants or contaminants into the environment at the referenced proposed Superfund Site (Site). In a letter issued to you on May 8, 1989, EPA requested that you furnish all available information concerning the disposal or arrangement for disposal of hazardous substances, at the Crossley Farm on Huff's Church Road in Hereford Township, Pennsylvania. EPA has reviewed your response and determined that additional information is needed.

Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9604(e), you are required to provide additional information and furnish all documents in your possession, custody or control, or in the possession, custody or control of any of your employees or agents, which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. § 9601(14), which were not furnished in your previous response.

The provisions in Section 104 of CERCLA, 42 U.S.C. § 9604 authorize EPA to pursue penalties for failure to comply with this section or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

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As used herein, the term "documents" means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar of daily entries, agenda, bulletins, notices, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer printouts, or other data compilations from which information can be obtained or translated.

EPA has information that hundreds of drums of waste were transported from Bally Engineered Structures, Inc. (Bally) by your father Gus Bales and disposed of on Blackhead Hill at the Crossley Farm. It has also been stated that you and your brother Carl participated in the disposal operations. The results of the August 15, 1988 Regional Hydrogeological Investigation performed by Roy F. Weston Inc., identifies areas near the crest of Blackhead Hill as the source of the regional TCE contamination. Therefore, you are required to address in full each of the following items regarding your employment with your father as a loader operator and truck driver:

1. Describe the types and quantities of substances transported and disposed of at the Crossley Farm.
2. Provide the dates that such substances were transported and disposed of at the Crossley Farm.
3. Indicate the state (i.e., liquid, solid, or gaseous) of the substances transported to the Crossley Farm, and the manner in which the substances were stored or disposed (i.e., drummed or uncontained, placed in lagoons, landfilled, placed in piles, etc.).
4. Identify any other person who transported and/or disposed of such substances at the Crossley Farm.
5. Identify the generator of the substances transported and disposed of at the Crossley Farm.
6. Identify any person who worked for the generator and assisted in any way in the loading of the substances on the trucks for transportation to the Crossley Farm.
7. Identify the person who worked for the generator and was the contact with your father to arrange for the transportation and disposal of substances at the Crossley Farm.

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8. Provide any other relevant information regarding this matter.

You are entitled to assert a claim of business confidentiality covering any part or all of the submitted information, in the manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you.

Please respond in writing to this required submission of information within 15 calendar days of your receipt of this letter. All information submitted to EPA must be signed by you certifying to its accuracy.


All documents and information should be sent to:

Mary Anne Daly  
U.S. Environmental Protection Agency  
PRP Search Section (3HW11)  
841 Chestnut Building  
Philadelphia, Pa. 19107

If you have any questions concerning this matter, please contact Ms. Daly at (215) 597-8981 or Roy Schrock at (215) 597-0913. Legal questions can be referred to Mr. Charles Hayden at (215) 597-3211.

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501, et seq.

Sincerely,

  
for Larry S. Miller, Chief  
PRP Search Section

cc: Roy Schrock (3HW22)  
Charles Hayden (3RC31)  
Don Becker, PaDER

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